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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,107	12/06/2001	John Wirth JR.	3584-7	3906
23117	7590	09/01/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			KRAMER, JAMES A	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,107

Applicant(s)

WIRTH, JOHN

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over harolds.com (hereinafter Harolds) in view of Parulski et al in further view of Image Splitter.

Harolds teaches a method of browsing a product catalog via a telecommunications network (e.g. the Internet) comprising for each page of said product catalog, storing in a first device connected to said network a file containing a low resolution scan of said catalog page, each of said catalog pages containing at least one image and text for identifying and purchasing products presented on said catalog page, said low resolution scan displaying said image and text in the format of a printed catalog page.

Examiner notes that users of the Harolds website are shown a low resolution scan of a catalog page (see pages 8-10). These pages contain images of products as well as text descriptions. Users can select a particular item from the page by clicking on that item (see for example the “Descending Garden Dress” and “Cartoon Daffodil Skirt” as highlighted by Examiner on page 8).

Upon clicking on a particular product from among the low resolution picture of the catalog page a user transmits a request via a URL for a detailed product presentation. The

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detailed product presentation, transmitted to user, is a high resolution image of the product selected by the use (see pages 11 and 12).

The detailed presentation page contains at least one link for purchasing product as well as an order data block containing ordering information (see page 11 for Examiner's annotations).

Examiner notes that Harold's is silent as to the specifics of how the low-resolution scan is generated, particularly whether or not it is based on a predefined reduction ratio. Parulski teaches creating low resolution index images of high resolution based on predefined reduction ratio (see column 4, lines 1-18). Parulski teaches this predefined ratio as useful to speed up the process. It would have been obvious to one of ordinary skill in the art to modify the low-resolution scan of Harold's to be based on a predefined reduction ratio relative to the high resolution scan. One of ordinary skill in the art would have been motivated to modify the reference in order to speed up the download times.

Harold's further does not specifically teach a separate low-resolution scan of said catalog page. In fact as pointed out by Applicant Harold's teaches pages 2 and 3 as one low resolution scan (same with pages 4-5 and 6-7).

Examiner submits a product called Image Splitter, available prior to the effective date of the present application. Image Splitter allows a user to split an image into multiple images. Image Splitter teaches this is used to dramatically speed up loading of images included in an HTML page.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Image Splitter to split the image of two catalog pages of Harold into separate scan files for each page. One of ordinary skill in the art would have been motivated to make such a modification in order to dramatically speed up loading of images included in an HTML page.

Response to Arguments

Applicant's arguments filed 6/29/06 have been fully considered but they are not persuasive.

Applicant argues (on page 32) that use of Image Splitter fails to properly rejected the claims. Applicant asserts that the prior art, especially Image Splitter, fails to teach “a low resolution image file of a predefined size for providing a separate low resolution image of each catalog page.” Applicant goes on to assert that using Image Splitte would result in the display of two pages.

Examiner notes that there is nothing in the claim which limits the number of pages or images displayed. As pointed out by Applicant on page 32, the claim requires “a separate low resolution image of each page.” The only requirement from this limitation is that each page is stored as its own image. How many pages/images are displayed is not part of the claim.

The prior art clearly teaches a separate image for each page because Image Splitter is used to split the catalog pages into separate images. Whether or not two images are displayed, is irrelevant to the claimed invention, since the claim language does not recite how many pages and/or images are display. The claim only requires that each page have its own image.

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Applicant further asserts on page 32 that the prior art fails to disclose a separate detailed product presentation for each product on the low resolution scan of each page. Examiner respectfully disagrees and notes that each product on that scan is part of an image map, which links to a separate detail page for that product.

Applicant asserts on page 33, that “it is not clear that the ‘detailed product presentation’ for catalog pages 2 and 4 includes a high resolution photograph of either of these products.” Examiner respectfully disagrees and believes the art provided makes it perfectly clear that a higher resolution graphic of the dresses from the catalog pages are clearly presented with the detailed product presentation. Any other conclusion is unreasonable.

Applicant asserts on page 33 that Harolds fails to teach “links corresponding to such information for either of such products that allows a shopper to directly purchase a product.” It is further argued by Applicant that Harolds link to an on-line form represent an indirect initiating a purchase. Examiner respectfully disagrees.

Applicant’s claim requires “a corresponding link for each ordering information entry”. Examiner notes that the “link” on the website of Harold to the order form represents such a link. Further the on-line order form is “for directly purchasing said product.”

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272 6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

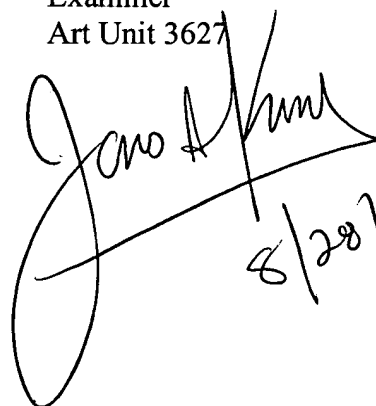
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James A. Kramer
Examiner
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jak

8/28/06



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